

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Dennis A. Smith

v.

Civil No. 07-cv-119-SM

New Hampshire Department of Corrections, et al

O R D E R

Plaintiff's objection to the Report and Recommendation is more properly characterized as a motion for reconsideration, in which he asserts that an amended complaint was allowed, which was filed, and which asserted a cause of action not addressed in the Report. Accordingly, because the Magistrate Judge should be afforded an opportunity to consider the plaintiff's asserted grounds for reconsideration before the Report is challenged, the matter is remanded for that purpose.

SO ORDERED.

September 5, 2007



Steven J. McAuliffe
Chief Judge

cc: Dennis A. Smith, pro se

